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A RESOLUTION

BY: CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEEDS AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF RIGHT-OF-WAY AND ASSOCIATED EASEMENTS FOR ANDREW YOUNG INTERNATIONAL BOULEVARD WEST OF MARIETTA STREET TO THE GEORGIA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Georgia Department of Transportation and/or other agencies of the State of Georgia presently own, operate, maintain, or control certain portions of the Andrew Young International Boulevard Viaduct west of Marietta Street in the vicinity of the Georgia Dome, World Congress Center, and Phillips Arena; and

WHEREAS, the City of Atlanta owns, operates, maintains, or controls portions of the Right-of-Way of Andrew Young International Boulevard and certain other portions of the Andrew Young International Boulevard Viaduct in the same vicinity; and

WHEREAS, the City of Atlanta and the agencies of the State of Georgia have historically cooperated in the operation of the viaduct and intend to continue to cooperate in the future; and

WHEREAS, the Georgia Department of Transportation and/or other state agencies desire to rebuild, repair, and make improvements to the Andrew Young International Boulevard Viaduct west of Marietta Street; and

WHEREAS, in order to qualify for the expenditure of certain funds, the entire right-of-way and structure must be under the jurisdiction and control of the State of Georgia; and

WHEREAS, transfer of the City's ownership of the Andrew Young International Boulevard Viaduct and Right-of-Way to the State of Georgia is in the best interest of the citizens of the City of Atlanta by relieving the City of the maintenance cost while improving the transportation use of the facility;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the mayor is authorized to execute quit claim deeds and other documents necessary to transfer ownership and control of right-of-way and/or easements parcels 1, 2, part of 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, and 16 as shown on attached Exhibit B; and

SECTION 2. That the City Attorney is authorized and directed to review all documents as to form, and to negotiate any necessary changes; and

SECTION 3. That no exchange of funds is required to complete this transaction; and

SECTION 4. That the City of Atlanta retains the right to own, operate, or franchise public utilities in said Right-of-way; and

SECTION 5. That the City of Atlanta enters into this agreement with the assurance and understanding that the State of Georgia and the Georgia Department of Transportation will maintain and operate the right-of-way of Andrew Young International Boulevard and the Andrew Young International Boulevard Viaduct in the best interest of the citizens of Atlanta.